

### **Accountability Report Transmittal Form**

Agency Name: South Carolina Commission on Prosecution Coordination

Date of Submission Tuesday, September 15, 2009

Agency Director William D. Bilton, Executive Director

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STATE OF SOUTH CAROLINA  
**Commission on Prosecution Coordination**



HAROLD W. GOWDY III, CHAIRMAN  
SOLICITOR, SEVENTH JUDICIAL CIRCUIT

JERRY W. PEACE, VICE-CHAIRMAN  
SOLICITOR, EIGHTH JUDICIAL CIRCUIT

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ROBERT M. ARIAIL  
SOLICITOR, THIRTEENTH JUDICIAL CIRCUIT

VACANT  
SOLICITOR

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1401 MAIN STREET, SUITE 825  
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MARY C. POWELL  
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CIRCUIT PRE-TRIAL  
INTERVENTION PROGRAM

LINDA M. MACON  
SIXTH JUDICIAL CIRCUIT  
VICTIM WITNESS ASSISTANCE  
ADVOCATE

September 15, 2009

Mr. Les Boles, Director  
Office of State Budget  
1201 Main Street, Suite 870  
Columbia, South Carolina 29201

**RE: FY 2008/09 Accountability Report - Letter of Transmittal**

Dear Mr. Boles:

Please accept the following letter of transmittal of the FY 2008/09 Accountability Report for the SC Commission on Prosecution Coordination. Should you have questions regarding this report please contact:

The Honorable Harold W. Gowdy, Chairman  
Solicitor, Seventh Judicial Circuit  
180 Magnolia Street  
Spartanburg County Courthouse  
Spartanburg, South Carolina 29306  
Telephone No.: 864-596-2575  
Fax No.: 864-596-2959

William D. Bilton, Executive Director  
SC Commission on Prosecution Coordination  
P. O. Box 11561  
Columbia, South Carolina 29211-1561  
Telephone No.: (803) 343-0765  
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The Commission is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws. The Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the SC Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pre-Trial Intervention Program, a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor.

The primary clientele served by this agency are the sixteen Judicial Circuit Solicitors, the deputy solicitors and assistant solicitors throughout the State, the sixteen Judicial Circuit

Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention programs representing the forty-six (46) counties of this State, and those Solicitor-based investigators.

The Commission has the following duties:

1. Coordinate all administrative functions of the offices of the Solicitors and any affiliate services operating in conjunction with the Solicitors' offices;
2. Submit the budgets of the Solicitors and their affiliate services to the General Assembly;
3. Encourage and develop legal education programs and training programs for Solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving Solicitors and their affiliate services and provide legal updates on matters of law affecting the prosecution of cases in this State; and
4. Provide blank indictments for the Circuit Solicitors.

The Commission determined that these statutory duties proscribe the agency's mission and objectives. It is against these statutory requirements that the agency measures its performance.

If I may be of further assistance, please do not hesitate to contact me.

Sincerely,

  
William D. Bilton

Enclosures

## **South Carolina Commission on Prosecution Coordination**

### **Section I.**

#### **Executive Summary**

The Commission was created to coordinate all activities involving the prosecution of criminal cases in this State. The increase of criminal cases in both the General Sessions and Family Courts challenge the agency in fulfilling its statutory obligations. The Commission is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws. The Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the SC Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pre-Trial Intervention Program (PTI), a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor.

#### **1. Mission Statement:**

The SC Commission on Prosecution Coordination (SCCPC) coordinates all administrative functions of the offices of the Solicitors and affiliate services to include submission of the budgets, developing and providing both legal education and training programs, and serving as a clearinghouse and distribution source for publications involving Solicitors and affiliate services, provide blank indictments, and assists the Solicitors in establishing and maintaining a pretrial intervention program in each judicial circuit.

#### **2. Major Achievements from FY 2008/09**

The Commission's major achievements from the past year are listed below.

- Five (5) DUI training seminars which provided continuing legal education (CLE) credits for prosecutors, continuing law enforcement (CLEE) credits for officers, and Judicial Continuing Legal Education (JCLE) for judges
- Four (4) publications of *Behind the Wheel*, a DUI newsletter
- Two (2) articles published on Highway Safety Issues
- One (1) Co-sponsored training with the Magistrates Intensive Training Council
- Six (6) Highway Patrol trainings
- Fourteen (14) training/speaking engagements for the TSRP
- Eleven (11) of the sixteen Circuit LEN Meetings: TSRP attended and/or presented
- Two (2) statewide sponsored Victim/Witness Assistance Advocates Training Programs
- One (1) statewide sponsored "Nuts and Bolts" of Victim/Witness Assistance Advocates training
- One (1) Victim/Witness Assistance Advocates Circuit Directory prepared and distributed
- Fifty-eight (58) Victim/Witness Assistance Advocates received a minimum of twelve CEUs of training

- Acquired federal funding for the Child Victim/Witness Assistance Advocate position within the Commission on Prosecution Coordination
- Submit SOVA “Financial and Programmatic Reports” to the General Assembly
- Two (2) PTI training programs
- PTI software update during FY 07/08
- State PTI Office processed approximately 14,000 applicants for participation in local PTI programs
- One (1) sponsored Child Abuse Prosecution training program
- One (1) Child Abuse Prosecution training manual publication
- Thirty-six (36) prepared and/or assessment of Cases for Trial
- Approximately 73 child sexual abuse cases were reviewed by the agency resulting in either consultations or criminal prosecutions
- Served approximately 79 “Parents and Guardians of Abuse Victims”
- One (1) training engagement by the Child Abuse Prosecutor
- Prepared and submitted statistics to the General Assembly regarding CDV and DUI prosecutions
- Prepared and submitted statistics on the Prosecutors and Defenders Public Incentive Program
- Nine (9) sponsored one day trainings on various criminal justice issues
- Co-sponsored one (1) Spring and one (1) Fall Training Conferences with the SC Solicitors’ Association
- Sponsored one (1) “Prosecutorial Bootcamp” (14 CLEs)
- Maintain the *Prosecutor’s Deskbook*
- Fifteen (15) training/speaking engagements for the Education Coordinator
- Seven (7) issues of *The Prosecutor Report*, a monthly newsletter containing summaries and excerpts from the published opinions issued the previous month by the South Carolina Appellate Courts and the United States Supreme Court, were distributed to the Office of Solicitor.
- Four (4) issue of *The Higher Standard*, a quarterly newsletter focusing on advocacy, investigative, legal, and prosecution issues and trends, was distributed to the Office of Solicitor.
- Implemented the SCEIS Accounting program.

### **3. Key Strategic Goals for the Present and Future Years**

- Restore funding for the Victim Witness Assistance Programs
- Secure funding the Prosecutors and Defenders Public Incentive Program
- Secure funding and provide an option for Assistant Solicitors to participate in the Police Officers Retirement System
- Secure funding for Violent Crime/CDV/DUI Programs in the Offices of Solicitor
- Secure funding for the maintenance agreement for developing and installing a Solicitors’ Case Management System in each Judicial Circuit Solicitor’s Office
- Implement a web-access software for registering to attend training seminars
- Secure funding for a centralized data base for participation in an Alcohol Education Programs in the Judicial Circuit Solicitors’ Offices

- Develop and install an Alcohol Education Program (AEP) software program between Office of Solicitor and SLED
- Assist in training for Drug Treatment Courts in the Judicial Circuit Solicitors' Offices
- Criminal Domestic Violence Prosecutors in each Judicial Circuit Solicitors' Offices with appropriate funding
- Driving Under the Influence Prosecutors in each Judicial Circuit Solicitors' Offices with appropriate funding
- Approximately 107 child sexual abuse cases were reviewed by the agency resulting in either consultations or criminal prosecutions
- Sponsor 1 Prosecutorial Capital Litigation Case Training
- Sponsor 4 DUI trainings for prosecutors, law enforcement officers and judges
- Sponsor 4 CDV training for prosecutors, law enforcement officers and judges
- Sponsor 1 day trainings for staff of the educational, intervention and support services within the Office of Solicitor
- Sponsor 3 Prosecutorial trainings on various criminal justice issues/trial advocacy
- Sponsor 2 CSC trainings for prosecutors
- Sponsor 2 Victim/Witness Assistance Advocate training
- Co-sponsor 1 Magistrates Intensive Training
- Co-sponsor the training programs of the SC Solicitors' Spring and Fall Conference

#### **4. Business Overview of the Opportunities and Barriers**

The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based Investigators.

#### **5. How the Accountability Report is Used to Improve Organizational Performance**

The Accountability Report provides for strategic planning for the agency. It assists the Commission in determining long and short range goals, human resource needs, financial issues, and community based strategic challenges.

## **Section II. Organizational Profile:**

### **1. The Commission has the following duties:**

1. Coordinate all administrative functions of the offices of the Solicitors and any affiliate services operating in conjunction with the Solicitors' offices;
2. Submit the budgets of the Solicitors and their affiliate services to the General Assembly;
3. Encourage and develop legal education programs and training programs for Solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving Solicitors and their affiliate services and provide legal updates on matters of law affecting the prosecution of cases in this State; and
4. Provide blank indictments for the Circuit Solicitors.
5. Assist the Solicitors in maintaining a PTI program in each Judicial Circuit

### **2. Key Customers**

The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based Investigators.

### **3. Key Stakeholders**

Ultimately it is the citizens of the State of South Carolina; however, the primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based Investigators.

### **4. Key Suppliers and Partners:**

The key suppliers and partners are the sixteen Judicial Circuit Solicitors and their staff as well as the other criminal justice agencies.

### **5. Operating Location:**

The following **operation location** applies to the SC Commission on Prosecution Coordination:

1401 Main Street, Suite 825  
Post Office Box 11561 (29211-1561)  
Columbia, South Carolina (29201)  
Phone: (803) 343-0765  
Fax: (803) 343-0766  
E-mail: [wdbilton@cpc.sc.gov](mailto:wdbilton@cpc.sc.gov)

## **6. Employees (*all unclassified*)**

The Commission has a total of forty-two (42) full-time employees and one (1) part-time employee. There are sixteen (16) Judicial Circuit Solicitors who are elected by the public. Each Office of the Solicitor has sixteen (16) Administrative Assistants who are unclassified employees. In the Columbia Office there is employed (1) Executive Director; one (1) Deputy Director; one (1) Administrative Assistant to the Commission; one (1) State PTI Coordinator; one (1) Information Technology/Accountability Coordinator; one (1) Child Abuse Attorney; one (1) Education Coordinator; one (1) State Victim/Witness Assistance Coordinator (vacant); and, one (1) Traffic Safety Resource Prosecutor (federal); and, one (1) full-time TSRP Support Personnel (federal) who are all unclassified.

## **7. Regulatory Environment:**

Section 1-7-990 of the SC Code of Laws provides that the Commission on Prosecution Coordination may promulgate those regulations necessary to assist it in performing its required duties. The Commission has adopted training certification standards for personnel within the local Pretrial Intervention programs and the Victim/Witness Assistance Advocates programs.

## **8. Your Performance Improvement System(s):**

The key suppliers of criminal justice data and information to the Commission are the various law enforcement, correctional, rehabilitative, executive, legislative and judicial entities of the federal, state and local governments.

The Commission was created to coordinate all activities involving the prosecution of criminal cases in this State. The Commission is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws. The pretrial intervention programs are governed by Sections 17-22-10 through 17-22-170 of the South Carolina Code of Laws. The following duties pertain to the Commission:

1. coordinates all administrative functions of the offices of the solicitors and any affiliate services;
  - a. coordination of prosecutorial issues with law enforcement entities
  - b. coordination of prosecutorial issues with judicial entities
  - c. coordination of prosecutorial issues with rehabilitation entities
  - d. coordination of prosecutorial issues with victim/witness assistance programs
  - e. coordination of prosecutorial issues with Pretrial Intervention Programs
  - f. coordination of prosecutorial issues with Alternative Programs
    - Drug Treatment Courts
    - Juvenile Arbitration
    - Community Advocacy Pilot Program
    - Pretrial Intervention Programs
    - Worthless Check Units
    - Traffic Education Programs
    - Alcohol Education Programs
    - Expungements

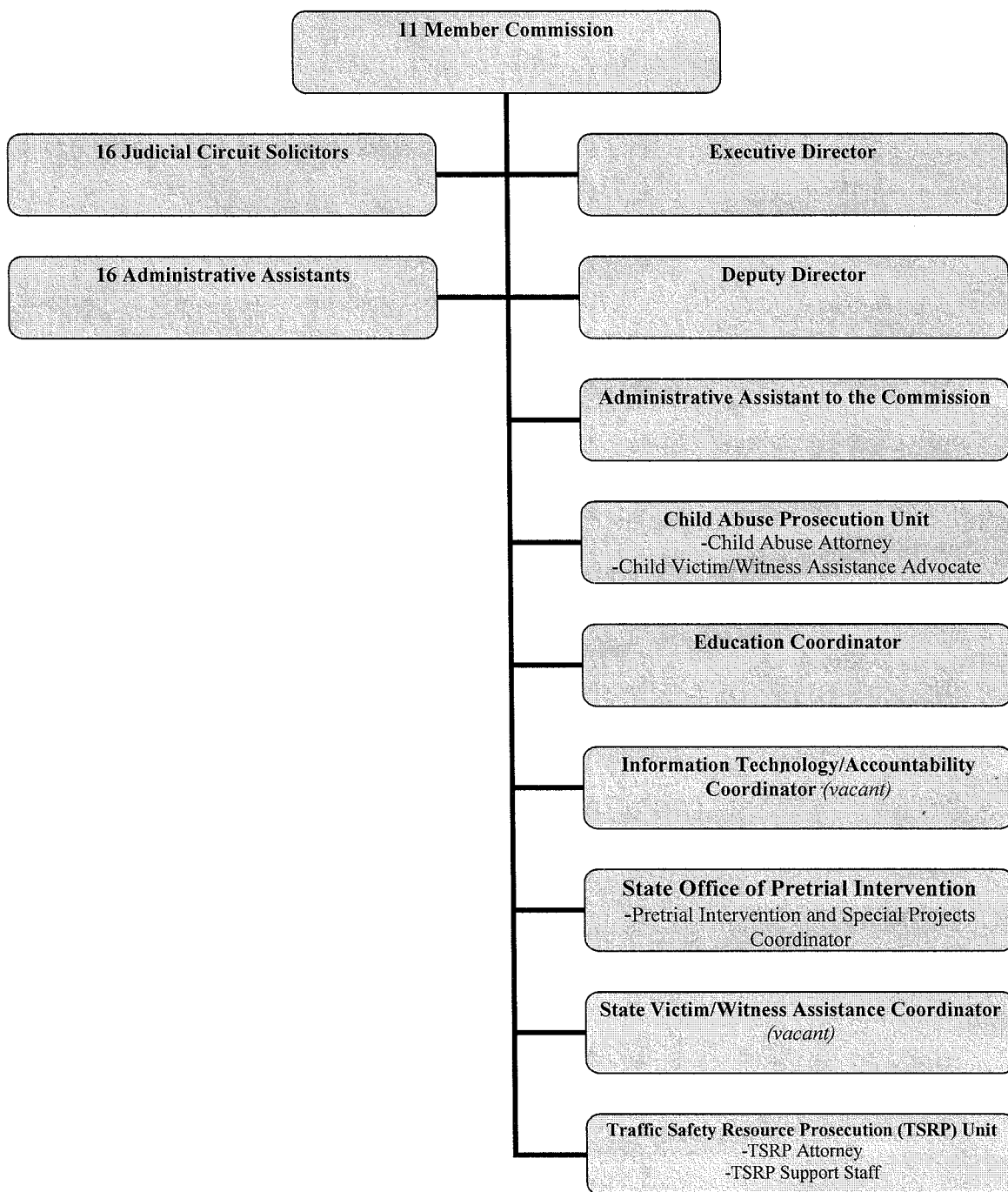


2. the submission of the budgets of the solicitors and their affiliate services to the General Assembly;
  - a. preparation of the Budget Requests
  - b. preparation of the Detail Budget
  - c. preparation of the Annual Accountability Report
  - d. preparation of Fiscal Impacts for the General Assembly
3. providing both legal education and training programs;
  - a. accredited CLE training for Prosecutors
  - b. accredited JCLE training for Circuit, Family and Summary Court Judges
  - c. accredited CLEE training for Law Enforcement, Investigators And Coroners
  - d. accredited CEU training for Victim/Witness Assistance Advocates (VWAA)
  - e. accredited CEU training for Victim/Witness Certification through the Office of the Governor
  - f. accredited CEU training for Pretrial Intervention (PTI) personnel
4. a source for the distribution of publications that impact solicitors' offices and affiliate services;
  - a. Training manuals for prosecutors, judges, law enforcement, investigators, coroners, VWAA, and PTI personnel
  - b. Legislative Updates
  - c. *Behind the Wheel* newsletter publication
  - d. Directory of Education, Intervention and Support Services
  - e. Victim/Witness Assistance Advocates Directory
  - f. National publications for highway safety issues, information technology, training programs,
  - g. "Grave Decisions" and "Grave Consequences" youth alcohol public awareness kits
  - h. "The Prosecutor Report" distributed on a monthly basis
  - i. "The Higher Standard" distributed on a quarterly basis
5. a statewide prosecution unit for abuse and sexual assault cases involving child victims as both the primary and secondary prosecutorial unit
6. providing blank indictments; and,
  - a. a contract exists between the Commission and Wentworth Printers for the preparation, printing and distribution of indictments
7. assisting the solicitors in establishing and maintaining a Pretrial Intervention Program in each judicial circuit
  - a. currently, there are thirty (30) programs across the State in the sixteen judicial circuits
  - b. developed the "SC Pretrial Intervention Standards"
  - c. developed the "SC Pretrial Intervention Standardized Procedures"
  - d. Submits and updates the participants' records to State Law Enforcement Division (SLED)
  - e. prepares and provides participant reports to the local PTI Directors
  - f. Criminal History Check on PTI applicants

- g. coordination with SLED on PTI database and NCIC issues
  - h. management of the State PTI Form
  - i. researches PTI information on behalf of the Offices of the Solicitors.
  - j. Coordinates by-annual Directors' training/meetings
  - k. Research and assist other criminal and juvenile justice agencies as it pertains to PTI
  - l. Continue the coordination for implementing the PTI software program with local offices and SLED
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# South Carolina Commission on Prosecution Coordination

Organizational Chart  
FY 08/09



## Accountability Report Appropriations/Expenditures Chart

### Base Budget Expenditures and Appropriations

Major Budget Categories	FY 07-08 Actual Expenditures		FY 08-09 Actual Expenditures		FY 09-10 Appropriations Act	
	Total Funds	General Funds	Total Funds	General Funds	Total Funds	General Funds
Personal Service	\$ 3,135,946	\$ 3,021,632	\$ 3,230,399	\$ 3,123,553	\$ 3,232,414	\$ 3,149,692
Other Operating	\$ 525,250	\$ 378,683	\$ 354,997	\$ 246,499	\$ 291,821	\$ 234,747
Special Items	\$ 17,078,678	\$ 10,499,401	\$ 8,159,486	\$ 7,070,045	\$ 11,990,542	\$ 5,411,265
Permanent Improvements						
Case Services						
Distributions to Subdivisions						
Fringe Benefits	\$ 1,471,347	\$ 1,433,997	\$ 1,514,747	\$ 1,482,775	\$ 1,531,234	\$ 1,508,686
Non-recurring						
<b>Total</b>	\$ 22,211,221	\$ 15,333,713	\$ 13,259,629	\$ 11,922,872	\$ 17,046,011	\$ 10,304,390

### Other Expenditures

Sources of Funds	FY 07-08 Actual Expenditures	FY 08-09 Actual Expenditures
Supplemental Bills		
Capital Reserve Funds		
Bonds		

### Major Program Areas

Program Number and Title	Major Program Area Purpose (Brief)	FY 07-08 Budget Expenditures	FY 08-09 Budget Expenditures	Key Cross References for Financial Results*
01050000 Administration	Judicial Circuits State Support	State: 3,985,600.00 Federal: Other: Total: 3,985,600.00 % of Total Budget: 18%	State: 3,785,600.00 Federal: Other: Total: 3,785,600.00 % of Total Budget: 29%	
0101000 Administration	Personnel Services	State: 3,021,631.00 Federal: 82,099.00 Other: 32,216.00 Total: 3,135,946.00 % of Total Budget: 14%	State: 3,123,553.00 Federal: 95,263.00 Other: 11,583.00 Total: 3,230,399.00 % of Total Budget: 24%	
		State: Federal: Other: Total: % of Total Budget:	State: Federal: Other: Total: % of Total Budget:	
		State: Federal: Other: Total: % of Total Budget:	State: Federal: Other: Total: % of Total Budget:	
		State: Federal: Other: Total: % of Total Budget:	State: Federal: Other: Total: % of Total Budget:	

**Below: List any programs not included above and show the remainder of expenditures by source of funds.**

Other Operating, Employer Contributions, Drug Court Treatment Programs

<b>Remainder of Expenditures:</b>	State:	8,326,483.00	5,013,719.00
	Federal:	169,772.00	69,366.00
	Other:	6,593,420.00	1,160,545.00
	Total:	15,089,675.00	6,243,630.00
	% of Total Budget:	68%	47%

\* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

### **Section III: Category 1: SENIOR LEADERSHIP, GOVERNANCE, AND SOCIAL RESPONSIBILITY:**

The Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the SC Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pretrial Intervention Program, a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor. The Commission was created to coordinate all activities involving the prosecution of criminal cases in this State.

There is created a permanent Executive Committee of the South Carolina Commission on Prosecution Coordination which is composed of the five Judicial Circuit Solicitors appointed by the Governor pursuant to SC Code Section 1-7-920(6) whose duties shall include the development and implementation of policies for a SCCPC Personnel Plan which shall include: establishment of policies and procedures for the employment and separation of employees; establishment of guidelines for the effective management and supervision of employees; and review staff requirements and needs of the Commission and Solicitors.

The sixteen (16) Judicial Circuit Solicitors represent the various judicial circuits as established by law. There is one solicitor for each judicial circuit, to be elected by the qualified electors of the circuit, who holds his office for the term of four years. A solicitor must be licensed to practice law by the South Carolina Bar at the time of his election and throughout his term. The Solicitors of this State are full-time employees of the State of South Carolina. The Solicitors are officers of the Executive Department of this State. On behalf of the State, the Circuit Solicitor's office prosecutes trial-level criminal cases and handles juvenile matters. The Solicitor attends the courts of General Sessions for their respective circuits. Preparation of the dockets for General Sessions Court is exclusively vested in the circuit solicitor and the solicitors determine the order in which the cases on the docket are called for trial. Their legal authorization is established in the Constitution of South Carolina, Article V, Section 20, and the Code of Laws of South Carolina, Title 1, Section 1-7-310 (1977), establishes the position of Circuit Solicitor.

### **Category 2: STRATEGIC PLANNING**

The SCCPC meets on a regular basis to address the coordination of all activities involving the prosecution of criminal cases in this State. The Commission serves to coordinate all administrative functions of the offices of the solicitor and any affiliate services operating in conjunction with the Solicitor's office. The Commission promulgates those regulations necessary to assist it in performing its required duties.

The Executive Committee of the SCCPC meets on a regular basis to develop and implement a personnel plan and to address any specific personnel request that relate to hiring, separation and related matters regarding its employees.

The Judicial Circuit Solicitors serve as the Agency Head for any Commission employee working directly under his supervision.

## Strategic Planning

Program Number and Title	Supported Agency Strategic Planning Goal/Objective	Related FY 08-09 and beyond Key Agency Action Plan/Initiative(s) and Timeline for Accomplishing the Plan(s)	Key Cross References for Performance Measures*
Office of the Solicitor State Appropriations	Judicial Circuits State Support (per capita allocation at a rate of \$0.94); salary/fringe for 16 elected Judicial Circuit Solicitors; expenses allowance; salary/fringe for 16 Administrative Assistants (1 per Solicitor); and Richland, Kershaw and Saluda, 12th Judicial Circuit Drug Court Programs, Victim/Witness Assistance Programs, First Judicial Circuit Domestic Violence, CDV Prosecutions, Solicitors Case Management System, DUI Prosecutions.	These activities represent the total flow-thru recurring state dollars allocated to the Office of Solicitor. These activities include the per capita assistance to the Office of Solicitor at a rate of \$0.94, the salary/fringe benefits and expense allowances to the 16 constitutional officers, and 1 state funded administrative assistant to assist the Solicitor as well as state support for the Richland, Kershaw and Saluda County and the 12th Judicial Circuit Drug Court programs, Victim/Witness Assistance Programs, First Judicial Circuit in CDV Prosecutions, and Solicitors Case Management System and DUI Prosecution. The "Judicial Circuits State Support" program is the sole state aid to the sixteen Judicial Circuit Solicitors. These monies are used to fund the Office of the Solicitor in the forty-six counties. This program enables the sixteen Judicial Circuit Solicitors to hire assistant solicitors, investigators and support staff for the prosecution of criminal cases in both General Sessions and Family Court. The "Judicial Circuits State Support" is apportioned among the circuits on a per capita basis.	The South Carolina Court Administration is the State's repository of criminal records for both General Sessions Court and Family Court. Court Administration's year-end reports best describe the activities of the Office of Solicitor as it relates to adult and juvenile prosecutions. In the area of adult criminal prosecution for the fiscal year 2007-2008, the Solicitors of this State disposed of 120,094 General Sessions criminal warrants. In the area of juvenile criminal prosecution for fiscal year 2007-2008, the Solicitors of this State disposed of 14,617 Family Court petitions. South Carolina Court Administration's goal of the disposition of criminal cases within 180 days or less from the date of arrest is a significant factor in all prosecutorial decisions. Currently, 80% of all Family Court petitions are being disposed of within 365 days or less and 80% of all General Sessions warrants are being disposed of within 180 days or less.
Administration	The South Carolina Commission on Prosecution Coordination was created by Sections 1-7-910 through 1-7-1000 to coordinate all activities involving the prosecution of criminal cases in the State. This function provides executive leadership, support, policy development and review, financial services, facilities management, personnel services, communications, training programs, legislative representation, inter-agency coordination and other related administrative services.	<ol style="list-style-type: none"> <li>1. Coordinate all administrative functions of the offices of the Solicitors and any affiliate services operating in conjunction with the Solicitors' offices;</li> <li>2. Submit the budgets of the Solicitors and their affiliate services to the General Assembly;</li> <li>3. Encourage and develop legal education programs and training programs for Solicitors and their affiliate services, organize and provide seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and act as a clearinghouse and distribution source for publications involving Solicitors and their affiliate services and provide legal updates on matters of law affecting the prosecution of cases in this State;</li> <li>4. Provide blank indictments for the Circuit Solicitors; and</li> <li>5. Assist the Solicitors in maintaining a Pretrial Intervention Program in each Judicial Circuit.</li> </ol>	The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based Investigators. The number of General Sessions Court and Family Court cases handled by the sixteen (16) Judicial Circuit Solicitors has consistently increased over the past decade. However, there is annually an increasing backlog of cases to be addressed. This increasing backlog is attributable to many factors including mandatory minimum sentences, 2 strikes/3 strikes statutory provisions, the implementation of Constitutional guarantees for victims, as well as increasing scientific and technological advancements in criminology. Without proper recurring funding of the Offices of Solicitor and other criminal and juvenile justice agencies, the backlog will continue to increase and cases will become more stale as they await their dispositional dates. Family & Circuit Court Filing Fees ** See Chart #1
State Office of Pretrial Intervention	Within the Commission is the State Office of Pretrial Intervention whose responsibility is to assist the Solicitor in each judicial circuit in establishing and maintaining a pretrial intervention program. The State Pretrial Intervention Coordinator and such staff which are necessary to assist in the implementation of the provisions of SC Code Sections 17-22-10 through 17-22-170 are within this office.	To enter approximately 14,763 statewide applications per year and the associated accepted/rejected information on each participant; run generation reports weekly; and provide statistical information to the Office of Solicitor upon request.	The State Office of Pretrial Intervention provides statewide training to all pretrial intervention personnel for compliance with the continuing educational requirements promulgated by the Commission. The State Office also provides new hire and software training so as to provide statewide uniformity free of charge. ** See Chart #1
Child Abuse Prosecution Unit	Within the Commission is the Child Abuse Prosecution Unit composed of an experienced attorney who prosecutes cases statewide involving traumatized child victims in rural districts/regions where resources are limited. A Child Victim/Witness Assistance Advocate assists the Child Abuse Attorney Specialist by performing certain duties as mandated by Article 1, Section 24 of the Constitution of South Carolina and SC Code Section 16-3-1505 et seq., "Victim and Witness Service"	While most of the cases are assigned for prosecution, there are those which involve only consultation and advice to the local jurisdictions. The Child Abuse Prosecution Unit also participates in parole hearings on behalf of the victims. Victim services are provided to child victims of physical abuse or sexual assault, adults survivors of sexual assault, and parents or guardians of abuse victims. The Child Abuse Prosecution Unit provides much needed standardized training for law enforcement, judges, prosecutors, victim advocates, health care providers and social service representatives. The Child Abuse Prosecution Unit publishes resource materials, manuals and provides updates on changes in the law.	The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention Directors and their programs representing the forty-six (46) counties of this State, and those Solicitor-based Investigators. The number of General Sessions Court and Family Court cases handled by the sixteen (16) Judicial Circuit Solicitors has consistently increased over the past decade. However, there is annually an increasing backlog of cases to be addressed. This increasing backlog is attributable to many factors including mandatory minimum sentences, 2 strikes/3 strikes statutory provisions, the implementation of Constitutional guarantees for victims, as well as increasing scientific and technological advancements in criminology. Without proper recurring funding of the Offices of Solicitor and other criminal and juvenile justice agencies, the backlog will continue to increase and cases will become more stale as they await their dispositional dates. Family & Circuit Court Filing Fees ** See Chart #1
Traffic Safety Resource Prosecution Unit	Within the Commission is the TSRP Unit composed of a TSR Prosecutor and one (1) full-time Administrative Assistant. Currently, this program is being funded by the Department of Transportation, National Highway Traffic and Safety Administration through the SC Department of Public Safety. The goal of the grant is to establish a clearinghouse of DUI related information for prosecutors, law	The grant provides for training of prosecutors, law enforcement, and summary court judges; newsletter publications; and telephone assistance; legal updates; and public awareness campaigns.	The grant provides for (4) 2-day DUI trainings for prosecutors, law enforcement and summary court judges; (6) 1-day trainings for SC Highway Patrol; (1) 2-day summary court judges training; 4 newsletters; and legal updates. **See Chart # 1

\* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

On behalf of the State, the Solicitor coordinates the prosecution of trial-level criminal cases and handles juvenile matters in the Judicial Circuit. State appropriations are provided to the Office of Solicitor for these specific purposes.

Proviso 33.3 of the General Appropriations Act provides that the amount appropriated and authorized in this section for Judicial Circuits (16) State Support may, upon approval of the Commission, be used to fund necessary administrative and personnel costs of the Commission and other expenditures approved by the Commission, not to exceed 5% of the appropriation, and the balance thereafter remaining shall be apportioned among the circuits on a per capita basis and based upon the official census of 1990. Payment shall be made as soon after the beginning of the first and third quarter as practical.

### **Category 3: CUSTOMER AND MARKET FOCUS**

The Commission serves the Offices of the sixteen (16) Judicial Circuit Solicitors and any affiliate services operating in conjunction with the Solicitors' offices. Currently, those affiliate services are as follows: Pretrial Intervention programs, Victim/Witness Assistance programs, Investigator programs; Drug Treatment Courts, and Juvenile Arbitration programs.

### **Category 4: MEASUREMENT, ANALYSIS AND KNOWLEDGE MANAGEMENT**

The primary clientele served by this agency are the sixteen (16) Judicial Circuit Solicitors, the deputy solicitors and assistant solicitors throughout the State, the Judicial Circuit Victim/Witness Assistance Advocates and their programs, the Pretrial Intervention programs representing the forty-six (46) counties of this state, and those Solicitors-based investigators.

The Commission is providing statistical data in five (6) areas: Information Technology/Accountability Coordinator, Child Abuse Prosecution, State Office of Pretrial Intervention, State Victim/Witness Assistance Coordinator, Education Coordinator, and Traffic Safety Resource Prosecution.

**A. INFORMATION TECHNOLOGY/ACCOUNTABILITY COORDINATOR:** The SC Commission on Prosecution Coordination recognizes South Carolina's need for the collection of data regarding criminal and juvenile data. The information is being gleaned statewide and the information is being collected on various programs within the Office of Solicitor. Statistical and financial information is outlined in state law and reports are required 60 days following the close of the fiscal year. Quarterly and annual reports are required for the Criminal Domestic Violence Prosecution (Proviso 46.9) and DUI Prosecution (Proviso 46.10). The quarterly reports for these programs as well as the case tracking documents are maintained by the ITAC. Victim/Witness Assistance annual reports for SOVA are distributed, collected, and forwarded to the appropriate representatives by the ITAC and/or Administrative Assistant to the Commission. Drug Treatment Court Program information is maintained by the ITAC as well as the contact information for the Education, Intervention, and Support Services within the Office of the Solicitor (Alcohol Education Program, Expungements, Drug Treatment Court Program, Juvenile Arbitration, Pretrial Intervention, and Worthless Check Units). This year the Commission



actively worked with committee members to develop, distribute, and collect information on the Prosecutor and Defender Public Service Incentive Program. This program provides funding for assistant solicitors who have three years of employment with in the Office of the Solicitor, and have acquired outstanding student loans for attending law school. The ITAC maintains the reports for Prosecutor and Defender Public Service Incentive Program which are due to the General Assembly by September 1 of each year. The Commission's website is maintain by the ITAC.

#### B. CHILD ABUSE PROSECUTION UNIT:

Within the Commission is the Child Abuse Prosecution Unit composed of an experienced attorney who prosecutes cases involving traumatized child victims in rural districts/regions where resources are limited. A Child Victim/Witness Assistance Advocate assists the Child Abuse Attorney Specialist by performing certain duties.

#### Case Statistics:

Preparation and/or Assessment of Cases for Trial: 36

- Pled Guilty	18
- Trial – Guilty Verdict	2
- Nolle Prossed in consideration of a guilty plea to other charges	4
- Nolle Prossed (other grounds)	4
- Continued by the Court for Trial	4
- Successfully resolved through guilty plea after the date of 6/30/09	1
- Cases for consultation with recommendation	3

#### Victim Services

Child Victims of Physical Abuse or Sexual Assault	73
Parents or Guardians of Abuse Victims	<u>79</u>
Total:	<b>152</b>

During the time period of July 1, 2008 – June 30, 2009, the Child Abuse Prosecution Unit continued to conduct meetings with victims in additional cases which are currently in the process of being evaluated and scheduled for trial.

#### Training Presentations:

Lecturer, December 19, 2008: Evidence: Understanding and Using the Rules, sponsored by the S.C. Commission on Prosecution Coordination, Columbia, S.C.

#### Publications:

*Sexual Assault and Child Abuse Prosecutions - Trial Notebook*, published September 27, 2008 (CD format)

C. STATE OFFICE OF PRETRIAL INTERVENTION: Within the Commission is the State Office of Pretrial Intervention whose responsibility is to assist the Solicitor in each judicial circuit in establishing and maintaining a pretrial intervention program. The State Pretrial

Intervention Coordinator and such staff which are necessary to assist in the implementation of the provisions of SC Code Sections 17-22-10 through 17-22-170 are within this office.

**(1) FY 2008/09 Case Volume and Information:**

Applications	14,763
Accepted	11,243
Pending Acceptance	1,418
Rejected	1,620
Pending Completion	3,591
Successfully Completed	9,332
Unsuccessfully Completed	2,196

Total Community Service Hours	872,591.70
Total Restitution Paid to Victims	\$1,076,537.44
Total Cases with Restitution	11,214

Number of Applications of Magistrate Cases	4,190
Number of Applications of Municipal Cases	5,181
Number of Applications of General Sessions Cases	5,654

**(2) Training and Resource Materials:**

SCAPTI Fall Conference (*coordination*) September 2008

2009 SC Solicitors' Association Winter Conference February 2009

- Pretrial Intervention Coordinators
- Alcohol Education Program Coordinators
- Juvenile Arbitration Coordinators
- Drug Treatment Court Coordinators

2009 Directory of Education, Intervention and Support Services within the Office of the Solicitor June 2009

PTI Software Interface (SLED and Spartan) March 2009

PTI Director's Meetings  
September 2008  
December 2008  
March 2009  
June 2009

**(3) Program Development:**

- Alcohol Education Program Standards
- Traffic Education Program (date extended to July 1, 2010)
- Worthless Check Subcommittee (to develop Standards)

D. Traffic Safety Resource Prosecution: Within the Commission is the TSRP Unit composed of a Traffic Safety Resource Prosecutor and one (1) full-time Support Secretary. Currently, this program is being funded by the Department of Transportation, National Highway Traffic and Safety Administration through the SC Department of Public Safety. The goal of the grant is to establish a clearinghouse of DUI related information for prosecutors, law enforcement, judges, and other entities to enhance the effective prosecution of DUI cases.

(1) Publications

*Behind the Wheel* (TSRP Newsletter) Volume 7 Issue 3 (released July 2008)  
*Behind the Wheel* (TSRP Newsletter) Volume 9 Issue 1 – (released October 2008)  
*Behind the Wheel* (TSRP Newsletter) Volume 9 Issue 2 – (released January 2009)  
*Behind the Wheel* (TSRP Newsletter) Volume 9 Issue 3 – (released April 2009)

Article: *The Higher Standard* (South Carolina Commission on Prosecution Coordination Quarterly Newsletter) Volume 2, Issue 2 (released May 2008)

Article: *South Carolina Trooper* (South Carolina Highway Patrol Quarterly Magazine) Volume 21, Number 3 (released November 2008)

(2) Agency Sponsored Trainings

Highway Patrol Training

Date:	January 6, 2009	Attendees:	57 Troopers
Date:	January 8, 2009	Attendees:	44 Troopers
Date:	January 13, 2009	Attendees:	59 Troopers
Date:	January 14, 2009	Attendees:	50 Troopers
Date:	January 27, 2009	Attendees:	30 Troopers/15 DNR
Date:	January 28, 2009	Attendees:	27 Troopers/15 DNR

Prosecuting the Impaired Driver Trainings:

Charleston, SC

Date: July 17-18, 2008      Attendees: 19 judges, 38 law enforcement officers, 13 prosecutors/attorneys

Columbia, SC

Date: February 4-5, 2009      Attendees: 10 judges, 39 law enforcement officers, 8 prosecutors/attorneys

Florence, SC

Date: March 25-26, 2009      Attendees: 36 judges, 14 law enforcement officers, 7 prosecutors/attorneys

Greenville, SC

Date: May 27-28, 2009      Attendees: 34 judges, 40 law enforcement officers, 14 prosecutors/attorneys, 3 others

Columbia, SC

Date: June 24-25, 2009      Attendees: 25 judges, 43 law enforcement officers  
20 prosecutors/attorneys, 3 others

Magistrates Advisory Council Intensive Training Seminar

Date: August 18-19, 2008      Attendees: 39 judges, 8 prosecutors/attorneys

(3) TSRP Speaking Engagements/Topics/Attendees

SCAARLA Conference

Topic: South Carolina's New DUI Law  
Date: September 19, 2008  
Attendees: 50 administrative law judges, hearing officers and private attorneys

Office of Highway Safety Conference

Topic: Making DUI Arrests Stick  
Date: September 23, 2008  
Attendees: 90 law enforcement officers

Office of Highway Safety Conference

Topic: DUI Mock Trial  
Date: September 24, 2008  
Attendees: 150 law enforcement officers

South Carolina Solicitors' Association-2008 Fall Conference

Topic: South Carolina's New DUI Law  
Date: October 1, 2008  
Attendees: 385 prosecutors

South Carolina Alcohol Enforcement Team Coordinators' Meeting

Topic: South Carolina's New DUI Law  
Date: October 2, 2008  
Attendees: 45 criminal justice professionals

Court Administration-Mandatory Magistrates' Training

Topic: South Carolina's New DUI Law  
Date: November 7, 2008  
Attendees: 325 judges

Alcohol and Drug Safety Action Program (ADSAP) Training

Topic: South Carolina's New DUI Law  
Date: November 18, 2008  
Attendees: 20 criminal justice professionals

Alcohol Enforcement Team Statewide Meeting

Topic: South Carolina's New DUI Law  
Date: November 20, 2008  
Attendees: 60 criminal justice professionals

Beaufort Police Department

Topic: Prosecuting DUI Cases/Trial Advocacy Techniques/South Carolina's New DUI Law  
Date: December 5, 2008  
Attendees: 40 law enforcement officers

Summary Court Judge's and Staff Training

Topic: South Carolina's New DUI Law  
Date: February 13, 2009  
Attendees: 250 judges and staff

NHTSA Region 4 LEL Conference

Topic: South Carolina's New DUI Law  
Date: February 18, 2009  
Attendees: 100 law enforcement and TSRPs from AL, GA, FL, TN, and SC

Magistrates' Orientation School

Topic: Prosecuting DUI Cases-The State's Perspective  
Date: March 24, 2009  
Attendees: 25 judges

Impaired Driving Technical Assessment Panel

Topic: Prosecuting DUI Cases in South Carolina  
Date: June 2, 2009  
Attendees: 6

MADD Statewide Volunteer Program

Topic: South Carolina's New DUI Law  
Date: June 27, 2009  
Attendees: 15 MADD volunteers

(4) Any other relevant measures for the DUI Unit of the SCCPC

NHTSA/TSI Training (August 26-29, 2008)

Attended training with personnel from the SC Office of Highway Safety and other similar agencies across the country. Focused on grant management and impaired driving.

Alcohol Enforcement Team Regional Training (October 30-31, 2008)

TSRP Unit attended 2-day training in Lancaster, SC that focused on underage drinking.

2008 NAPC Annual Winter Conference (December 8-11, 2008)

Met with NAPC leaders and other TSRPs from across the country to discuss impaired driving.

2008 Law Enforcement Challenge (December 17, 2008)

Attended event sponsored by the Office of Highway Safety to honor those law enforcement networks that excelled in DUI enforcement.

Southeastern Law Enforcement Liaison (LEL) Conference (February 16-18, 2009)

Attended NHTSA conference in Gatlinburg, TN with Office of Highway Safety personnel, LELs and TSRPs from Alabama, Georgia, Florida, and Tennessee.

DUI Enforcement Recognition Ceremony (March 19, 2009)

Attended DUI ceremony honoring those officers and agencies who have dedicated their efforts to saving lives on South Carolina Roadways with DUI enforcement.

Alive @ 25 (April 21, 2009)

Attended class on impaired driving as a fictional student with a possession of alcohol offense; course focused on the most at risk drivers for fatalities (ages 15-24) and responsible driving.

TSRP Annual Conference (April 27-30, 2009)

Attended conference in St Louis, MO with TSRPs from across the county, NTSHA leaders and National Traffic Law Center directors; discussed many facets of the TSRP job including how to get a program started; how to build a program; how to direct successful trainings; and how to be a successful grant writer.

South Carolina Impaired Driving Assessment (June 2 & 5, 2009)

Served on a panel with a DUI prosecutor from Greenville, South Carolina; explained TSRP's role and provided materials to the five team members assessing South Carolina's roadways. Also attended the forum where the assessment team discussed the results and recommendations for South Carolina.

Media Campaigns:

South Carolina's New DUI Law News Conference (February 9, 2009)

Buckle Up South Carolina Media Campaign (May 15, 2009)

Move Over Laws News Conference (June 17, 2009)

LEN Meetings:

Date	Circuit	Counties
8/22/08	6 <sup>th</sup>	Chester, Lancaster and Fairfield
1/9/09	9 <sup>th</sup>	Berkeley and Charleston
1/23/09	4 <sup>th</sup>	Chesterfield, Darlington, Dillon, and Marlboro
1/29/09	3 <sup>rd</sup>	Clarendon, Lee, Sumter, and Williamsburg
2/10/09	6 <sup>th</sup>	Chester, Lancaster and Fairfield
2/26/09	16 <sup>th</sup>	York and Union

<b>3/18/09</b>	<b>7<sup>th</sup></b>	<b>Spartanburg and Cherokee</b>
<b>3/20/09</b>	<b>12<sup>th</sup></b>	<b>Florence and Marion</b>
<b>4/14/09</b>	<b>11<sup>th</sup></b>	<b>Edgefield, Lexington, McCormick and Saluda</b>
<b>5/21/09</b>	<b>10<sup>th</sup></b>	<b>Anderson &amp; Oconee</b>
<b>5/26/09</b>	<b>13<sup>th</sup></b>	<b>Greenville and Pickens</b>
<b>6/04/09</b>	<b>1<sup>st</sup></b>	<b>Calhoun, Dorchester, and Orangeburg</b>

E. EDUCATION COORDINATOR: Within the Commission there is a Education Coordinator whose primary responsibility is to provide resources to the prosecutors of South Carolina. The Education Coordinator is to coordinate and develop legal education programs and training programs for Solicitors and their affiliate services; to provide legal updates as it relates to the Office of Solicitor; and to aid the Solicitors in addressing the burgeoning caseloads in the state. The following measureable performances apply:

Training Programs:

<b>Title of Training Program</b>	<b>Sponsor/ Cosponsor</b>	<b>Date(s)</b>	<b>Location</b>	<b>Attendees</b>
Prosecuting Cases In Family Court	Sponsor	August 20, 2008	Columbia, South Carolina	31 (Prosecutors)
2008 South Carolina Solicitors' Association Fall Conference	Co-sponsor	September 28 – October 1, 2008	Hilton Head, South Carolina	460 (Prosecutors/Investigators)
Criminal Domestic Violence Cases	Sponsor	October 28, 2008	Columbia, South Carolina	29 (Prosecutors/Investigators/Victim-Witness Assistance Advocates)
Trial Advocacy: Case Analysis, Opening Statements And Direct Examination	Sponsor	November 24, 2008	Columbia, South Carolina	14 (Prosecutors)
Evidence: Understanding And Using The Rules	Sponsor	December 19, 2008	Columbia, South Carolina	27 (Prosecutors)

Motion Practice: Anticipating and Responding to Defense Motions in Limine	Sponsor	January 16, 2009	Columbia, South Carolina	22 (Prosecutors)
Prosecution Bootcamp	Co-sponsor	February 18-20, 2009	Myrtle Beach, South Carolina	31 (Prosecutors)
Bond Estreatments	Sponsor	March 20, 2009	Columbia, South Carolina	16 (Prosecutors/Paralegals/Investigators/Others)
Extraditions	Sponsor	March 20, 2009	Columbia, South Carolina	21 (Prosecutors/Paralegals/Investigators/Others)
Forensic Science Series for Prosecutors: DNA, Latent Prints, and Trace Evidence	Sponsor	April 24, 2009	Columbia, South Carolina	48 (Prosecutors/Investigators)
Forensic Science Series for Prosecutors: Drugs, Firearms, Questioned Documents, and Trace Evidence	Sponsor	May 29, 2009	Columbia, South Carolina	46 (Prosecutors/Investigators)
Forensic Science Series for Prosecutors: Focus on DNA	Sponsor	June 19, 2009	Columbia, South Carolina	23 (Prosecutors)

Training Presentations:

<b>Title of Training Program</b>	<b>Topic of Presentation</b>	<b>Date(s)</b>	<b>Location</b>	<b>Attendees</b>
Prosecuting the Impaired Driver	Ethics and Professionalism	July 17, 2008	Charleston, South Carolina	Prosecutors/Law Enforcement/Judges
Prosecuting the	Constitutional	July 17, 2008	Charleston,	Prosecutors/Law



Impaired Driver	Law		South Carolina	Enforcement/Judges
2008 South Carolina Solicitors' Association Fall Conference	Professional Responsibility and Prosecution	September 28 – October 1, 2008	Hilton Head, South Carolina	Prosecutors/Investigators
Criminal Domestic Violence Cases	Balancing Victims' Rights against Defendants' Rights: The Law and Difficult Choices	October 29, 2008	Columbia, South Carolina	Prosecutors
Evidence: Understanding and Using the Rules	General Admissibility of Evidence: Rules 401 through 403, Rules 901 through 903, and 1001 through 1008	December 19, 2008	Columbia, South Carolina	Prosecutors
Motion Practice: Anticipating and Responding to Defense Motions in <i>Limine</i>	Anticipating, Responding To, and Living with Rulings on Defense Motions in <i>Limine</i>	January 16, 2009	Columbia, South Carolina	Prosecutors
Motion Practice: Anticipating and Responding to Defense Motions in <i>Limine</i>	Ethics and Professionalism Issues in Motion Practice	January 16, 2009	Columbia, South Carolina	Prosecutors
Prosecuting the Impaired Driver	Constitutional Issues: Search and Seizure and Hearsay	February 5, 2009	Columbia, South Carolina	Prosecutors/Judges/Law Enforcement
Prosecution Bootcamp	Motions in <i>Limine</i> : Prosecution Motions	February 19, 2009	Myrtle Beach, South Carolina	Prosecutors
Prosecution Bootcamp	Prosecutor Ethics and Professionalism:	February 20, 2009	Myrtle Beach, South Carolina	Prosecutors

	In Pursuit of Justice			
Prosecuting the Impaired Driver	Constitutional Issues: Search and Seizure and Hearsay	March 26, 2009	Florence, South Carolina	Prosecutors/Judges/Law Enforcement
Forensic Science Series for Prosecutors: DNA, Latent Prints, and Trace Evidence	Expert Witness Preparation from the Prosecutor's Perspective: Ethical, Legal, & Practical Considerations	April 24, 2009	Columbia, South Carolina	Prosecutors/Investigators
Forensic Science Series for Prosecutors: DNA, Latent Prints, and Trace Evidence	Expert Witness and Evidence – Ethical, Legal, & Practical Considerations: Question and Answer Session	April 24, 2009	Columbia, South Carolina	Prosecutors/Investigators
Prosecuting the Impaired Driver	Constitutional Issues: Search and Seizure and Hearsay	May 28, 2009	Greenville, South Carolina	Prosecutors/Judges/Law Enforcement
Prosecuting the Impaired Driver	Constitutional Issues: Search and Seizure and Hearsay	June 25, 2009	Columbia, South Carolina	Prosecutors/Judges/Law Enforcement

### **Publications:**

The Education Coordinator continues to publish issues of two different newsletters:

- *The Prosecution Reporter*, a semi-monthly newsletter containing summaries and excerpts from the published opinions issued the previous month by the South Carolina appellate courts and the United States Supreme Court (criminal and other opinions of interest to prosecutors) were published. The Coordinator is the sole author of the materials included in this newsletter.
- *The Higher Standard*, a quarterly newsletter focusing on advocacy, investigative, legal, and prosecution issues and trends was published. For this newsletter, the Coordinator writes articles and edits articles solicited from others.

### **Resource Materials:**

The Education Coordinator updated and reformatted *The Prosecution Deskbook*, a reference manual for the Offices of Solicitor. This manual will be reviewed and updated each year.

For purposes of the Prosecution Bootcamp program, the Education Coordinator edited, contributed to, and coordinated the writing of *Prosecution Bootcamp: A Manual on South Carolina Criminal Law and Procedure for New Attorneys in South Carolina's Solicitors' Offices*. This manual will be reviewed and updated each year.

A topical index of relevant South Carolina appellate opinions (published) from September 1, 2007 has also been compiled.

**Consultation(s):**

The Education Coordinator has provided consultations and assistance to the Office of Solicitor on issues related to the prosecution function and substantive criminal law, prosecution duties, media relations, ethics, criminal procedure, statutory interpretation, evidence, constitutional law, and advocacy. She has also provided assistance in drafting and reviewing legal memoranda and other pleadings.

The Education Coordinator has also provided assistance to the Office of Solicitor in researching and writing *amicus curiae* pleadings in a capital case, to the Solicitors in addressing proposed changes to the South Carolina Rules of Evidence and Rules of Criminal Procedure, and to prosecutors in conflicts case.

F. STATE VICTIM/WITNESS ASSISTANCE COORDINATOR: (*Vacant*) Within the Commission there is a State Victim/Witness Assistance Coordinator whose primary responsibility is to coordinate the functions of the Victim/Witness Assistance Programs in the Office of Solicitor.

(1) Training and Resource Materials:

July 2008 – SC Commission on Prosecution Coordination Victim/Witness Assistance Advocates Directory

February 2009      “Victim/Witness Assistance Advocates Winter Conference”

**Category 5: WORKFORCE FOCUS**

The Commission encourages and develops legal education programs and training programs for solicitors and their affiliate services, organizes and provides seminars to help increase the effectiveness and efficiency of the prosecution of criminal cases in this State, and acts as a clearinghouse and distribution source for publications involving the solicitors and their affiliate services and provides legal updates on matters of law affecting the prosecution of cases in this State.

The Commission surveys the various Solicitors' offices and affiliate services to ascertain the need for future various training components as well as the skill level. Each Agency Head is responsible for the submission of an annual employee performance evaluation. These evaluations are utilized to determine the criteria for future training programs throughout the various affiliate services.

## **Category 6: PROCESS MANAGEMENT**

The Commission provides blank indictments for the Judicial Circuit Solicitors. Currently, the Commission is in the final phases of providing an electronic process for developing General Sessions Court indictments and Family Court petitions in a prosecutorial-based case management system. The prosecutorial-based case management system will also allow the sharing of criminal and juvenile justice information among the various Solicitors' offices. In addition, the Commission is constructing a website to improve the communication of information relating to the various Solicitors' offices and their affiliate services.

## **Category 7: RESULTS**

The South Carolina Commission on Prosecution Coordination's primary purpose is the coordination of activities involving the prosecution of criminal cases in this State. The South Carolina Court Administration is the State's repository of criminal records for both General Sessions Court and Family Court. Court Administration's year-end reports best describe the activities of the Office of Solicitor as it relates to adult and juvenile prosecutions. In the area of adult criminal prosecution, please consider the following: In FY 2007-2008, the Solicitors of this State disposed 120,094 of in General Sessions Court. During FY 2006-07, they disposed of 124,171. In the area of juvenile criminal prosecution, please consider the following: In FY 2007-2008, the Solicitors of this State disposed of 14,617 Family Court petitions. During FY 2006-07, they disposed of 16,405.

South Carolina Court Administration's goal of the disposition of criminal cases within 180 days from the date of arrest is a significant factor in all prosecutorial decisions as well as Family Court petitions are being disposed of within 365 days or less. The number of General Sessions Court and Family Court cases handled by the sixteen (16) Judicial Circuit Solicitors has dropped during FY 2007/08 due reduced funding and the passage of certain legislation. Without proper funding of the Offices of Solicitor and other criminal and juvenile justice agencies, the backlog will continue to increase and cases will become more stale as they await their dispositional dates.